

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**April 13, 2005**

DIVISION ONE

B170534      Jacob Tikosky  
v.  
Yoram Yehuda

Filed order denying petition for rehearing.

DIVISION FOUR

B171640      People                          (Not for Publication)  
v.  
Cho

The judgment is affirmed.

Epstein, P.J.

We concur: Hastings, J.  
Curry, J.

DIVISION FIVE

B175505 Martha Rodriguez (Certified for Publication)  
v.  
Troy Kirchhoefel

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur:   Armstrong, Acting P.J.  
                      Kriegler, J.

DIVISION FIVE (Continued)

B176544      Bertha Andonagui                      (Certified for Partial Publication)  
v.  
The May Department Stores Company

The judgment is reversed except as to plaintiff's willful failure to warn count, as to which count the order sustaining the demurrer without leave to amend is affirmed. Each party shall bear her or its own costs on appeal.

Mosk, J.

We concur:    Turner, P.J.  
                         Kriegler, J.

B175968      People                                      (Not for Publication)  
v.  
Miguel Del Rio

The abstract of judgment is modified to strike the \$1,000 parole revocation fine. The judgment is otherwise affirmed.

Mosk, J.

I concur:        Armstrong, J.  
I concur:        Turner, P.J. (opinion)

B178884      Michaelis, Montanari & Johnson  
v.  
City of Los Angeles, Department of Airports

Filed order denying petition for rehearing.  
Mosk would grant rehearing.

April 13, 2005 (Continued)

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B174675      Child Protective Services v. Susan H.

Argument waived, cause submitted.

B17515      Belsky v. The Fraternity of Phi Gamma Delta, Inc.

Matter settled and dismissed. Ordered off calendar.

B174956      Dixon  
v.  
Morehard Land Co.

Merits:

Argued by Carol A. Woo for respondent. Argument previously waived by appellant. Cause submitted.

B175954      Marriage  
of  
Olson

Merits:

Argued by Wendy C. Lascher for appellant and by Joanne Salaesia Sumalpong for respondent. Cause submitted.

B168579      Hama  
v.  
City of San Luis Obispo

Merits:

Argued by Brian E. Claypool for appellants and by M. Scott Radovich for respondent. Cause submitted.

April 13, 2005 (Continued)

DIVISION SIX (Continued)

B174219      Shon  
                 v.  
                 Hauser

Merits:

Argued by Rydan Todd Shon, appellant, appearing in propria persona and by Hugh S. Spackman for respondent. Cause submitted.

Court recessed at 10:30 A.M.

Court reconvened at 10:35 A.M.

Present: Gilbert, P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B178873      Adbool  
                 v.  
                 Jackson  
                 NBC, Universal Inc.

Merits:

Argued by Theodore J. Boutrous for appellants NBC, Universal Inc. et al. and by Stephen Dunkle for respondent Jackson. Cause submitted.

Court recessed at 11:10 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B174733 Maida v. Santa Barbara Co.  
B174915 Child Protective Services v. David T.  
B179165 Child Welfare Services v. Linda B.

Argument waived, cause submitted.

DIVISION SIX (Continued)

B180927 Roselle W. v. San Luis Obispo Co. (Dept. of Social Services)

Presentation of argument waived; cause submitted.

B175620 Coalition of Labor, Agriculture & Business  
v.  
Supervisor Gail Marshall

Merits:

Argued by William G. Hansult for appellants and by Stephen D.  
Underwood, Assistant County Counsel, for respondents. Cause submitted.

Perren, J. left the bench.

B172487 Marriage  
of  
Seaquist

Merits:

Argued by Susan H. Ratzkin for appellant and by Denise Abundis Brogna  
for respondent. Cause submitted.

B174862 Wade  
v.  
San Luis Obispo Co.

Merits:

Argued by Vincent T. Martinez for appellants and by R. Wyatt Cash, Chief  
Deputy County Counsel, for respondents. Cause submitted.

B174955 Olivier  
v.  
Leary

Merits:

Argued by Paul David Deavenport for appellants and by Tina J. Cowdrey  
for respondent. Cause submitted.

April 13, 2005 (Continued)

## DIVISION SIX (Continued)

Court recessed at 2:15 P.M.

Court reconvened at 2:20 P.M.

Present: Gilbert, P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B174925      Aldana  
v.  
Russo

Merits:

Argued by James G. Allen for appellants and by Timothy J. Lippert for respondent. Cause submitted.

Court adjourned at 2:45 P.M

## DIVISION SEVEN

B174656 People (Not for Publication)  
v.  
Felton

The judgment is modified to reflect presentence credit of 309 days, 207 actual and 102 conduct. As amended, the judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.  
Woods, J.

B163391      Herrera and Gonzalez  
v.  
Plotin

Filed order denying petition for rehearing.

April 13, 2005 (Continued)

## DIVISION SEVEN (Continued)

B177986 Department of Alcoholic Beverage Control  
v.  
Alcoholic Beverage Control Appeals Board  
(Quintanar, R.P.I.)

Department of Alcoholic Beverage Control  
v.  
Alcoholic Beverage Control Appeals Board  
(KV Mart Co., R.P.I.)

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

## DIVISION EIGHT

B168144      Yeboah      (Certified for Publication)  
v.  
Progency Ventures, Inc., et al.

Appellant's purported appeal, and respondent's purported cross-appeal, from the order of May 13, 2003, are dismissed. The parties are to bear their own costs.

Flier, J.

We concur: Rubin, Acting P.J.  
Boland, J.